

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

**AUSTIN LEE SIEBER,
ADC #654331**

PLAINTIFF

v.

Case No. 1:14-cv-00055 KGB/JTR

**JASON BENTON, Corporal,
Independence County Detention Center, et al.**

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray (Dkt. No. 6). Plaintiff Austin Lee Sieber has filed no objections. After careful review, this Court hereby approves and adopts in its entirety the Proposed Findings and Recommended Partial Disposition.

It is therefore ordered that:

1. Mr. Sieber may proceed with his claims against defendant Jason Benton for excessive force and failure to protect that allegedly occurred on March 27, 2014.
2. The Court dismisses all other claims and defendants without prejudice.
3. The Court directs the Clerk to prepare a summons for Mr. Benton. The Court also directs the U.S. Marshal to serve the summons, Substituted Complaint (Dkt. No. 5), and this Order on Mr. Benton without prepayment of fees and costs or security therefore.¹

¹ If defendant Jason Benton is no longer an Independence County employee, the individual responding to service must file a *sealed* statement providing Mr. Benton's known private mailing address.

4. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

SO ORDERED this 23rd day of March, 2015.

A handwritten signature in black ink, reading "Kristine G. Baker", written over a horizontal line.

Kristine G. Baker
United States District Judge